

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEGAL RECOVERY ASSOCIATES LLC,

Plaintiff,

-against-

BRENES LAW GROUP, P.C.; TROY A.
BRENES,

Defendants.

1:22-CV-1772 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On March 2, 2022, Defendant Tory A. Brenes, an attorney admitted to this court who appears *pro se* and is also representing the other defendant, Brenes Law Group, P.C., removed this action from the New York Supreme Court, New York County. Neither defendant has paid the fees to remove this action or submitted a request to proceed *in forma pauperis* (“IFP”). The Court dismisses this action without prejudice for the following reasons.

On March 3, 2022, the day after Defendant Brenes filed his notice of removal for the present action, he filed another notice of removal in which he: (1) removed the same state-court action, (2) represents both himself and Defendant Brenes Law Group, P.C., and (3) paid the fees for removal. That second removed action is pending before the Honorable Alison J. Nathan of this court under docket number 1:22-CV-1778 (AJN) (“second removed action”). As the present action raises the same claims as the second removed action, and as neither defendant in the present action has paid the fees to remove the present action or sought IFP status, no useful purpose would be served by litigating this duplicative action. The Court therefore dismisses the present action without prejudice to the pending action, *Legal Recovery Assocs. LLC v. Brenes Law Grp., P.C.*, 1:22-CV-1778 (AJN).

CONCLUSION

The Court dismisses this duplicative action without prejudice to the pending action, *Legal Recovery Assocs. LLC, v. Brenes Law Grp., P.C.*, 1:22-CV-1778 (AJN).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Court directs the Clerk of Court to mail a copy of this order to: (1) Defendant Brenes Law Group, P.C., at 27141 Aliso Creek Road, Suite 270, Aliso Viejo, California 92656; (2) Defendant Troy A. Brenes, Esq., at 100 Spectrum Center Drive, Suite 330, Irvine, California 92618; and (3) counsel for Plaintiff, Andrew T. Solomon, at Solomon & Cramer LLP, 25 West 39th Street, 7th Floor, New York, New York 10018. The Court also directs the Clerk of Court to note service on the docket.

SO ORDERED.

Dated: March 9, 2022
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge